

**Notice of Allowability**

Application No.

10/623,299

Applicant(s)

MARTINEZ, RAUL

Examiner

Juanita D. Stephens

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Application filed 7/17/03.
2. ☒ The allowed claim(s) is/are 1-14.
3. ☒ The drawings filed on 17 July 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## DETAILED ACTION

### *Information Disclosure Statement*

1. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered. **However, the references have been considered by the examiner.**

### *Allowable Subject Matter*

2. Claims 1-14 are allowed.
3. The following is an examiner's statement of reasons for allowance:

The prior art does not teach, suggest, or render obvious the combination of printing indicia on a plurality of three-dimensional articles each having a first end, a second end, a longitudinal axis and a curved surface, having a article positioning assembly including first and second spaced apart supporting wheels rotatably carried by said support frame, wheel rotation means for controllably rotating said first and second spaced apart supporting wheels, a plurality of circumferentially spaced apart first gripping means connected to said first supporting wheel for gripping the first end of a selected one of the plurality of three-dimensional articles, each of said plurality of spaced apart first gripping means comprising a first, generally cup shaped member that is movable from a first position spaced apart from said first supporting wheel to a

second position proximate said first supporting wheel, a plurality a circumferentially spaced apart second gripping means for gripping the second end of a selected one of the plurality of the three-dimensional articles, and an article rotating means connected to said supporting frame for controllably rotating a selected one of said plurality of second gripping means, recited in claim 1. This invention solves the problem of improving the apparatus and method for non-contact, high quality, distortion free printing of images on non-planar surfaces of three-dimensional objects.

The prior art does not teach, suggest, or render obvious the combination of a printing having a positioning means positioning a plurality of three-dimensional articles each having a first end, a second end, and a longitudinal axis including a supporting frame having first and second spaced apart sides, an axle rotatably supported by said first and second sides, first and second supporting wheels connected to said axle at spaced apart locations, wheel rotation means connected to said frame for controllably rotating said axle and said first and second spaced apart supporting wheels, a plurality of circumferentially spaced apart first gripping means connected to said first supporting wheel for gripping the first end of a selected one of the plurality of three-dimensional articles, each of said plurality of spaced apart first gripping means comprising a first, generally cup shaped member that is movable from a first position spaced apart from said first supporting wheel to a second position proximate said first supporting wheel, a plurality a circumferentially spaced apart second gripping means rotatably connected to said second wheel for gripping the second end of a selected one of the plurality of the three-dimensional articles, each of said second gripping means comprising a driven

shaft and a generally cup shaped member connected to said driven shaft for rotation therewith, and an article rotating means connected to said supporting frame for controllably rotating a selected one of said driven shafts of said plurality of second gripping means, wherein said article rotating means comprises drive shaft movable between a first retracted position and a second extended position, motor means for rotating said drive shaft, and an interconnection means for interconnecting said drive shaft with said driven shaft for imparting rotation thereto upon rotation of said drive shaft by said motor means, recited in claim 9. This invention solves the problem of improving the apparatus and method for non-contact, high quality, distortion free printing of images on non-planar surfaces of three-dimensional objects.

The prior art does not teach, suggest, or render obvious the combination of a method for imprinting an image on a portion of the surface of a baseball bat having an article positioning assembly for holding a plurality of circumferentially spaced apart bats in a manner such that the bats can be sequentially moved into a position proximate the nozzle of the ink jet cartridge, analyzing the baseball bat to determine the configuration of the portion of the surface of the baseball bat that is to be imprinted, positioning a plurality of baseball bats within the article positioning assembly, rotating said article positioning assembly to bring a selected one of said plurality of baseball bats into proximity with the nozzle of the ink jet cartridge, rotating said selected one of the baseball bats about its longitudinal axis, producing a non-distorted image, distorting said non-distorted image in a manner to produce a distorted image that generally corresponds with the surface of the baseball bat that is to be imprinted, and using the

host computer, transmitting the printer instructions to the printer instructing the printer to fire the nozzle of the ink jet cartridge in a manner to print said distorted image on the rotating baseball bat, recited in claims 12. This invention solves the problem of improving the apparatus and method for non-contact, high quality, distortion free printing of images on non-planar surfaces of three-dimensional objects

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The prior art of Carlson (US 5,831,641) discloses a method and apparatus (Fig. 1) for printing indicia on a three-dimensional article comprising rotating means for rotating the three-dimensional article relative to each nozzle, and an article positioning means for positioning the surface of the three dimensional article having rotating and article support means comprising a cup shaped handle receiving member and a plurality of circumferentially spaced apart article engaging rollers, **but does not disclose** first and second spaced apart supporting wheels rotatably carried by said support frame, wheel rotation means for controllably rotating said first and second spaced apart supporting wheels, a plurality of circumferentially spaced apart first gripping means connected to said first supporting wheel for gripping the first end of a selected one of the plurality of

three-dimensional articles, each of said plurality of spaced apart first gripping means comprising a first, generally cup shaped member that is movable from a first position spaced apart from said first supporting wheel to a second position proximate said first supporting wheel, a plurality a circumferentially spaced apart second gripping means for gripping the second end of a selected one of the plurality of the three-dimensional articles, and an article rotating means connected to said supporting frame for controllably rotating a selected one of said plurality of second gripping means.

#### **Contact Information**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Juanita D. Stephens whose telephone number is (571) 272-2153. The examiner can normally be reached on Flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Juanita D. Stephens", written in a cursive style.

Juanita D. Stephens  
Primary Examiner  
Art Unit 2853

January 7, 2005